

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MATHEW COLLETT,

Plaintiff,

v.

KEVIN HASON, et al.,

Defendants.

CASE NO. 3:23-CV-6051-TMC-DWC

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is the Report and Recommendation of Magistrate Judge David W. Christel. No party has filed objections. Having reviewed the Report and Recommendation and the remaining record, the Court finds and ORDERS:

- (1) The Court adopts the Report and Recommendation.
- (2) The Motion to Dismiss (Dkt. 22) and the Notice of Joinder (Dkt. 42) are granted-in-part and denied-in-part as follows:
 - a) Plaintiff's due process constitutional claims shall proceed against Defendants Mason County, Kevin Hanson, Shane Schoeneberg, Nurse Bree, and Diane Houlton.
 - b) Defendant Healthcare Delivery Systems ("HDS") is dismissed.
 - c) The ADA claim is dismissed.
 - d) The HDS Defendants' request that the Court find Plaintiff a vexatious litigant is denied.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

DATED this 30th day of August, 2024.

A handwritten signature in black ink, appearing to read 'Tiffany M. Cartwright', is written over a solid horizontal line.

Tiffany M. Cartwright
United States District Judge